HIGH COURT OF CHHATTISGARH, BILASPUR
(DIVISION BENCH)

CORAM: HON'BLE SHRI H.L. DATTU, CJ &
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J

WRIT PETITION NO. 2152 OF 2001

PETITIONERS

1) State of Chhattisgarh, through Secretary, Water Resource Department, Mantralaya, D.K.S. Bhavan, Raipur, CG.

2) Executive Engineer, Water Resource Department, Division No.2, Baloda Bazar, Raipur, CG.

3) Sub Divisional Officer, Water Management Sub Dn.6, Baloda Bazar, Raipur, CG.

Versus

RESPONDENT

Sewak Ram Dhemar S/o. Shri Habru, Dhemar, aged about 56 years, Mate, r/o. village & PO Lavan, Tehsil Baloda Bazar, Raipur, CG.

PRESENT:

Shri Sumesh Bajaj, Government Advocate for petitioners/State.
None for respondent.

ORAL ORDER
(Passed on 4th April, 2007)

The following oral order of the Court was passed by **H.L. Dattu, CJ.**

The State being aggrieved by the interim order passed by the Madhya Pradesh State Administrative Tribunal, Jabalpur ("the Tribunal" for short) in O.A.No. 2169/2000 is before us in this writ petition.

2) This court in exercise of its writ jurisdiction normally would not interfere with the interim order passed by the Tribunal, unless that interim order so passed is arbitrary, capricious, unreasonable and in violation of the statutory provisions. The Tribunal exercising its discretionary power has

granted some relief to the applicant while entertaining the original application filed by him. The interim order so passed by the Tribunal, in our opinion, does not appear to be either arbitrary or illegal.

3) In view of the above, interference with the said interim order is not called for. Accordingly, the writ petition requires to be rejected and it is rejected. Ordered accordingly.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge